

**CALFEE, HALTER & GRISWOLD LLP**

Docket No. 11694/04304

**DECLARATION  
AND POWER OF ATTORNEY**

**ORIGINAL APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ADJUSTABLE MAGNETIC SEPARATOR**

the specification of which

☐ is attached hereto,  
☐ was filed on \_\_\_\_\_, Serial No. \_\_\_\_\_.  
☐ and was amended on \_\_\_\_\_.  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim the benefit of foreign priority under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Serial	Filing Date	Legal Status	Priority Claimed

I hereby claim the benefit of United States priority under 35 USC §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial Number	Filing Date	Legal Status

I hereby claim the benefit of United States priority under 35 USC §119(e) of any United States provisional application(s) listed below:

Application Serial Number	Filing Date	Legal Status
60/481,241	August 16, 2003	Pending

I hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Charles B. Lyon  
Reg. No. 25,739

John T. Wiedemann  
Reg. No. 28,920

Tara A. Kastelic  
Reg. No. 35,980

Mary E. Golrick  
Reg. No. 34,829

Nenad Pejic  
Reg. No. 37,415

S. Paige Christopher  
Reg. No. 39,503

Pamela A. Docherty  
Reg. No. 40,591

Leonard L. Lewis  
Reg. No. 31,176

John E. Miller  
Reg. No. 26,206

William E. Zitelli  
Reg. No. 28,551

Brian D. Johnson  
Reg. No. 40,665

George R. Hoskins  
Reg. No. 46,780

Paul E. Szabo  
Reg. No. 30,429

Robert R. Lech  
Reg. No. 37,169

Brian E. Kondas  
Reg. No. 40,685

Diane H. Dobrea  
Reg. No. 48,578

Kristin J. Frost  
Reg. No. P50,627

Sean T. Moorhead  
Reg. No. 38,564

Douglas McKnight  
Reg. No. 50,447

Edmund J. Wasp  
Reg. No. 29,598

Warren Haines  
Reg. No. 40,632

J. Bradford Leaheey  
Reg. No. 27,107

Address all telephone calls to: Paul E. Szabo  
at telephone number: (216) 622-8578

Address all correspondence to:

Paul E. Szabo  
CALFEE, HALTER & GRISWOLD LLP  
800 Superior Avenue, Suite 1400  
Cleveland, Ohio 44114

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Raymond J. Baxter

Inventor's signature: Raymond J. Baxter

Date: 2-6-04

Citizenship: USA

Post Office Address: 14818 Kneisel Road, Vermillion, Ohio 44089

Residence Address: 14818 Kneisel Road, Vermillion, Ohio 44089

Full name of second inventor: Robert G. Zuccarelli

Inventor's signature: Robert G. Zuccarelli

Date: 2/6/04

Citizenship: USA

Post Office Address: 2466 Cottager Drive, Hudson, Ohio 44236

Residence Address: 2466 Cottager Drive, Hudson, Ohio 44236